



#9

ATTORNEY DOCKET NO. ADV08 01006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Patent Application of Gerald T. Mearini, et al.

MAY 04 2004

Serial No.: 09/865,153

Art Unit: 2872

OFFICE OF PETITIONS

Filed: May 24, 2001

Examiner: Joshua L. Pritchett

Title: ATOMIC LAYER CONTROLLED OPTICAL FILTER DESIGN FOR NEXT
GENERATION DENSE WAVELENGTH DIVISION MULTIPLEXER

**PETITION TO REVIVE THE APPLICATION
UNDER 37 CFR § 1.137(b)**

Mail Stop **Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Office under 37 CFR §1.137(b) to revive the
subject application that was unintentionally abandoned for failure to timely respond to a
non-final Office Action.

Applicant submits herewith:

a. an Election and Amendment in response to the non-final Office Action
dated April 2, 2003;

b. the Petition Fee as set forth in 37 CFR § 1.17(m);

The undersigned hereby states that the entire delay in filing the required reply
from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR
1.137(b) was unintentional.

Favorable consideration of this petition and acceptance of the response to the non-final Office Action is solicited.

Respectfully submitted,

By:  

L. Lawton Rogers, III	Reg. No. 24,302
D. Joseph English	Reg. No. 42,514
Mark C. Comtois	Reg. No. 46,285
Patrick D. McPherson	Reg. No. 46,255

1667 K Street, N.W., Suite 700
Washington, DC 20006
Telephone: (202) 776-7800
Telecopier: (202) 776-7801

April 30, 2004

WSH\107182.1